

## PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT  
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 60680-1810	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/US 03/25728	International filing date (day/month/year) 14.08.2003	Priority date (day/month/year) 15.08.2002
International Patent Classification (IPC) or both national classification and IPC H05K5/00		
Applicant DANA CORPORATION et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  03.03.2004	Date of completion of this report  29.11.2004
Name and mailing address of the International preliminary examining authority:   European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer  Batev, P Telephone No. +49 89 2399-7970 

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT**

International application No. **PCT/US 03/25728**

**I. Basis of the report**

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

**Description, Pages**

2-4 as originally filed  
1, 1a filed with telefax on 11.11.2004

**Claims, Numbers**

1-10 filed with telefax on 11.11.2004

**Drawings, Sheets**

1/4-4/4 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).  
☐ the language of publication of the international application (under Rule 48.3(b)).  
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority in written form.  
☐ furnished subsequently to this Authority in computer readable form.  
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:  
☐ the claims, Nos.:  
☐ the drawings, sheets:

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5. ☒ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)*

**see separate sheet**

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Yes: Claims	4-10
	No: Claims	1-3
Inventive step (IS)	Yes: Claims	none
	No: Claims	1-10
Industrial applicability (IA)	Yes: Claims	1-10
	No: Claims	none

**2. Citations and explanations**

**see separate sheet**

**INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT - SEPARATE SHEET**

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**Re Item I**

**Basis of the report**

Claim 1 as amended defines that "the electrical bridge (22) does not extend along an exposed surface of the housing (14)". However, this technical feature is not disclosed in the description as originally filed and cannot be directly and unambiguously derived from the originally filed application documents. The claims and the description as originally filed imply that the electrical bridge is formed by the electrical leads (22) of a connector (20) which extend through the housing (14). In all three embodiments shown in Figs. 1, 2 and 4 the leads of the connector forming the electrical bridge protrude from the internal wall of the housing. In the embodiments shown in Figs. 1 and 4 the leads protrude from the external wall as well.

It appears, therefore, that the introduction of the phrase " wherein the electrical bridge (22) does not extend along an exposed surface of the housing (14)" in claim 1 goes beyond the disclosure as originally filed (Article 34(2)(b) PCT). Said phrase is considered as deleted in order to establish the present report.

**Re Item V**

**Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

Reference is made to the following documents:

D1: US-B-6 416 3411 (D.R.PLATZ) 9 July 2002 (2002-07-09)

D2: DE 43 40 280 A (DODUCO) 16 March 1995 (1995-03-16)

1. Document D1, which is considered to represent the most relevant state of the art, discloses (col. 4, l. 9 - 14; Fig. 1) a composite cover with an electrical bridge, comprising:
  - a base component;
  - a housing 1 mounted to the base component defining an enclosure therein, the housing made of non-conductive material;
  - an electrical connector 2 integrally formed with the housing, the electrical connector including three electrical leads that extend through the housing for allowing electrical energy to pass from an electrical source outside the housing to an electrical device 7 within the enclosure, thereby forming an electrical bridge between the electrical source and the electrical device.

The subject matter of claim 1 appears, therefore, not novel (Article 33(2) PCT).

**INTERNATIONAL PRELIMINARY  
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2. Dependent claims 2 - 10 do not appear to contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step.
3. The last part of the description (paragraph 16) implies that the subject matter for which protection is sought may be different to that defined by the claims. This results in lack of clarity of the claims (Article 6 PCT) when the description is used to interpret them (see the Guidelines, paragraph 5.30).

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